

THE
ARRAIGNMENT
OF
THOMAS HOWARD
Duke of NORFOLK,
BEFORE THE
Earl of SHREWSBURY
Lord High-STEWARD of
ENGLAND.

ALSO,

A Brief Derivation of the most
Honourable Family of the HOWARDS.

With an Account of what Families they are
Related to by Marriages. Transcribed out
of Ancient Manuscripts, never before Pub-
lish'd.

*Printed by Nathaniel Thompson at the Entrance into
St. Dunstons Church near Chancery-Cross, MDCLXXXV.*

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Old-Spring-Garden near Charing-Cross, MDCCXXV.

To the High and Mighty

PRINCE HENRY

Duke of NORFOLK,

Earl Marshal of ENGLAND,

Earl of Arundell, Surrey, Norfolk and Norwich,

Baron Howard, Mowbrey, Seagrave, Brewes of
Cover, Fitz-Allen, Warren, Chun, Oswalde-
stry, Maltrevers, of Cales, Graystock, Farni-
val, of Sheffield, and Howard of Castle-
Rising. Constable and Governour of His
Majesties Royal Castle of Windsor. Lord
Warden of Windsor Forest. Lord Lieutenant
of the County of Norfolk, Surry, and Berks,
and of the City of Norwich, and County of
the said City. And Knight of the most
Noble Order of the Garter, &c.

My Lord,

AS Your Grace is the Chief of Your Illu-
strious Family, it would appear as rudely,
SH Improper to Dedicate this Discourse to
any other, as perhaps it doth an unbecoming pre-
sumption to present it to the Honour of Your hands,
and

The Epistle Dedicatory.

and since there is no avoiding a Crime; the least must be admitted, for which I hope to obtain a Pardon with less Difficulty, from that excessive Goodness which is your Character, than I had to collect these scatter'd Papers (slubber'd with Antiquity) which were long preserv'd in Your Family, and hastily thrown into this posture by

My Lord

Your Graces

Most Humble

and Most Faithful Servant

J. Cary.

THE

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ENGLAND.

THe Names of the Lords Summon'd by *Thomas Edwards* Serjeant at Arms; who being Call'd; came and sat, down in their Places appointed: They that sat on the Right-hand of the *Steward*, are Noted with the Letter A. and they that sat on the Left-hand, with the Letter B.

B

Earls

Earls	Kent A.	Bedford B.
	Worcester B.	Pembroke A.
	Sussex A.	Hartford B.
	Huntington B.	Leicester A.
	Warwick A.	

Lords	Clinton A.	Mordant A.
	Howard of Effingham B.	St. Johns B.
	Burghley A.	Rich A.
	Grey of Wilton B.	North B.
	Monjoy A.	Shandois A.
	Sands B.	St. Johns of Bostock B.
	Wentworth A.	Buckhurst A.
	Bourghrave B.	De la Ware B.

Then was *Robert Catlin* Lord Chief Justice of *England*, commanded to return his Precept upon Peril; which being return'd, was read, *Statute Issues*, and then the Lieutenant of the *Tower* was call'd to return his Precept, and to bring forth his Prisoner the Duke of *Norfolk*: Then was the Duke brought to the Bar, between *Sir Owen Hopton* Lieutenant, and *Sir Peter Carew*; and next *Sir Peter*, stood one holding the *Tower-Axe* with the edge from the Duke.

The Duke immediatly at his coming to the Bar, perused all the Lords, first on the Right-hand of the *Steward*, then on the Left-hand; and the Lieutenant deliver'd in his Precept; *Versus Thomas Ducem Norfolk*, &c. And then was Proclamation made, every man to keep Silence; and *Mr. Sandes* spoke to the Prisoner in this manner.

Thomas

Thomas Duke of Norfolk late of Kennington in Norfolk, hold up thy thy Hand ; which done, he read the Indictment, the effect whereof was, That He the 22th. of September Anno Dom. 1570. did Traiterously Compose and Imagine to put to Death our Sovereign Lady the Queen, to raise Rebellion, to Subvert the Commonwealth, and to stir up Forreign Enemies to invade this Realm, and to Levy War against the Queen; for that he knew Mary late Queen of Scots to have claim'd the Crown of this Realm, and to have Nam'd her self Queen of England, and bore the Arms of our Queen without difference; did the 22th. of Sempتمبر Anno predict' before and after Compose and Imagine to deprive, destroy and put to Death our Sovereign Lady the Queen, to raise Rebellion, to subvert the Commonwealth, and to stir up Forreign Enemies to Invade this Realm, and to Levy War against the Queen; for that he knew Mary late Queen of Scots to have Claim'd the Crown of this Realm, and to have Nam'd her self Queen of England, and bore the Arms without difference, did the 22th. of September Anno predict' before and after, without the Consent of our said Queen sent divers Tokens and Letters to the said late Scottish Queen, and lent her divers Sums of Money, and received divers Tokens from her, contrary to the Commands of the Queen, and contrary to his own Submission and Promise under his Hand and Seal; and that He knowing the late Earls of Northumberland and Westmorland, the Northern Markenfield and others, which had Levyed War against the Queen the 16th. of November Anno predict' and had Assembled to them the numb r of 1000 persons, and then fled the 12th. of December Anno predict' into Scotland, and there were receiv'd by

the Duke of Castol, Herald Lord Hunne, and there pursued by the Earl of Suffex. He, on the 7th. of August Anno predict' did send before and after Money unto them, and that he being Adherent to the Pope, the Queens Enemy, the 10th. of March Anno Reginae, did Consent and Consult with Robert Rodulph Merchant Stranger, and the Pope's Factor, to have Money from the Pope, and the Duke of Alva, and that they should send an Army to Invade the Realm, to deliver the said Scottish Queen. And further, whereas the said Robert Rodulph had written in the Name of the said Duke three Letters, one to the Pope, the second to King Philip, and the third to the Duke of Alva; the said Duke sent his Servant to the Ambassador of King Philip, to desire him to Certifie the Pope, King Philip, and the Duke that he allow'd of the same Letters; and that they should be taken as sent from him, which was so agreed; but the said Robert Rodulph who deliver'd the Duke of Norfolk's Cyphers, whereof he carried one Coppy to Rome; whereby each might Certifie others, and likewise requir'd of the said Duke what time the Aid should arrive, that they might be provided: And further, that the said Duke did receive Letters from the said Pope with Promise of the said Aid: And also that he did send Comfort to the Lord Ferris and other Scots the Queens Enemies, &c. Which Indictment being read, Mr. Sandes said to the Duke; How sayest thou Thomas Duke of Norfolk, art thou guilty of these Treasons, or not guilty?

Duke, The hearing of this Indictment gives me occasion to make Request, which I did not intend to have done: Which is to have Council Assign'd me, if the Law will permit it?

Catlin,

Catlin, You must have none.

Duke, That's very severe, I was told the Indictment was only concerning matters contain'd in the Statute of the 25th *Edward* the III. I have had very short warning, not more than 14 hours, night and all ; I am no Lawyer, and there is many circumstances in which I must submit my self to the Opinion of the Justices, I could not have Books to inform my self, and direct, but must Fight without Weapons : Yet I have heard in the Cause of Mr. *Humphry Stafford* in the time of *Henry* the VII. in a Case of Treason, had Councel Assign'd him.

Dyer, The Case you speak of, was concerning the pleading of a Sanctuary by prescription.

Duke, I must submit then to your Judgments, I must plead for my Life, Lands, Goods, and Children, and for that which I esteem much more Dear to me, my Honour and Honesty, my Blood will Cry aloud for Vengeance, if I am Condemned Unjustly. One Request I make to you my Judges, to tell me if the Indictment be perfect in all, or in part ; and in what part, that thereto I may give my Answer.

Catlin, The Cause being true, the Indictment is sufficient.

Duke, I should know whether they are all Treasons or no ?

Sands, How sayest thou *Thomas Duke of Norfolk*, art thou Guilty of these Treasons, or not Guilty ?

Duke, Not Guilty ?

Sands, How wilt thou be Tried ?

Duke, By God and my Peers ; I am in a great Consternation at the Treasons that's imputed against me, but

but am comforted by the Justice of the Queen in giving me that Tryal which the Law alloweth me, and it is such as I require ; But this Suit I make to the Lords, that I may have Justice, and not be oppress'd with Un-necessary Diversities ; my Memory is ill of it self, and rendred much worse by evil usage, since my severe Imprisonment. I pray God I may forgive it : And concerning you my Peers, I hope I may call it my Happiness that I shall be Try'd by You, in whose Hands I must put my Life ; and I think I dare into the single Hands of a great many of you, whom I know profess Religion, and I hope will not burthen your Consciences contrary to Law and Justice, depending upon the clearness of my Innocence, I would not take a needless and cowardly Flight, I have what I expected and wish'd, a Tryal ; I crave it with Justice, and must confess I have neglected my Duty in matters under Treason ; I desire those Omissions be not imputed as Treasons.

Serjeant *Berham*, This Indictment contains three several matters of Treason. First, It is by Deprivation of the Queens Majesty. The second, Is the Relief of the Rebels in *England*. The third, The assistance of the *Scots* the Queens Enemies. To prove the first, there are two matters of Fact declar'd in the said Indictment. First, knowing the *Scottish* Queen to have claim'd the Crown, he hath attempted Marriage with her : Also, the Conspiracy to procure Forreign Power to Invade the Realm, doth prove him Guilty of the matter.

Duke, The Duke interrupting him, said, Mr. Serjeant, You begin, as I thought you would, in laying the
the

the matters of the Marriage, and other things to my Charge, which are not Treason, to exasperate the matter ; you may do your Duty, but yet Conscientiously ; and (then something smiling) I should speak one thing which I had almost forgot ; A man suspected is half Condemned ; I have been charged with an Oath, I protest I took the Oath, as I shall prove ; I Pray let it not be laid out to my Discredit. They desir'd it.

Burham, He that would marry with one that claimeth the Crown, hopeth to aspire to the same ; This matter began at such a time as the *Duke* was one of the Commissioners for hearing the Cause between the late *Scottish Queen* and the Lords of *Scotland*, at which time the Duke took an Oath to deal therein directly, to weigh indifferently occasions and Answers ; wherein notwithstanding he dealt indirectly, thereby committing Perjury, and disclosing the Queens secret Councils ; if you deny it, I'll prove it.

Duke, This Case hath divers parts, not within the compass of Treason.

Burham, I demand if you know the claim ?

Lord Steward, Your Grace must Answer directly.

Gerrard, After (upon viewing Serjeant *Burham* and the Queens Attourney,) the *Duke* Confess'd the Claim, but not the Contrivance, &c.

Burham, He shew'd the Contrivance by her Refusal to acknowledge the Queens Majesty to be the Lawful Queen.

Duke, I did not approve it, but I must defend her doing it, she having a Husband, did it ; which at the Request of *Throgmorton* was left by the Queen ; she hath since entred into League with her,

her , professing great Friendship, and has Christen'd her Child.

Burham, But she has not yet renounc'd her Claim, and yet you have as far dealt with her as being the Queens Commissioner, to hear the matter open'd to her, the Accusations ; You gave Instructions how she should deal that matters might not come to light ; and conferr'd with the Bishop of *Ross* about the same. For proof whereof was shew'd the Examination of the Bishop taken the 6th. of *November* one thousand five hundred seventy one , declaring that the *Duke* discover'd to him all that he knew of that business, and promis'd what help he could, &c. But he spoke nothing of the Marriage, but referr'd all to *Luddington*, who had caused the *Duke* to stay the Conference, and shew'd unto him her good Will, and how she was set to accompany the Earl of *Murray* to Convey the Queen, where he shew'd that the *Duke* did Advertise him, that they did go about to Degrade the *Scottish* Queen with the People of *England*, that she might be the less able to attempt any thing against the Queen of *England* ; And these matters the *Duke* answer'd at large, the effect was.

Duke, Luddington only mov'd the Marriage to him, which He at that time refus'd : That he only told the Bishop of *Ross* he could not condescend to that Proposition ; and as her Circumstances were stated , it would neither be for her Honour, nor His ; He desir'd the Bishop of *Ross* might be sent for : Then was shew'd a Letter of the Bishops, wherein was contain'd, That it was appointed the Earl of *Murray* should be Murthered in the North, going into Scotland ; But the *Duke*
having

having Discoursed with him at Hampton-Court about the Marriage, to which he consented, the intended Murder was also stopt : There was also a Letter to the Duke shew'd, moving the Marriage at that time, and that it should be for the Advantage of his Family to Marry the Queen, who propos'd her Son should also Marry the Lady *Margaret Howard* the Dukes Daughter, which Argument inclin'd the Duke to it : Yet when it was rumour'd that he design'd the Marriage of the *Scottish* Queen, he appear'd much offended, and told the Queen of it, and seem'd to dislike her for her former Marriages ; And said, the whole Revenues of the Crown of *Scotland*, the Ordinary Charges deduct'd, was not so Considerable as his Estate in *England* ; and that he thought himself as great a Prince in his *Bowling-Alley at Norwich*, as if he were King of *Scotland* ; this was affirm'd by Mr. *Burham*, that he heard the Queens Majesty speak it, and by the Dukes own Examination taken the sixth of *November* prov'd plainly : It was further shew'd, that at *Treachfield* he had Commandment not to proceed any further in that Marriage; and yet it was apparent he had treated about it, though he had declar'd to *Banister* an ill Opinion of the Queen, and said, he believ'd she was privy to the Murder of her Husband.

Duke, These are far fetches Mr. *Burham*, and come short of proving a Deprivation of the Queen, and Destruction of her Person : when the Marriage was propos'd to me, I made several Objections against it, though without any unjust or unbecoming Reflections upon that great Princess, whose Virtue is above Calumny ; But my Lord *Leicester*, who perswaded me to

the Marriage also, told me of the Queens Consent, and advis'd me to proceed in the Treaty, and leave the Mannagement to him, who would attend an opportunity to Discourse it with the Queen, whom he knew he could dispose to it.

Burham, To come nearer to you, it appears you have gone about to procure it by Force, and Conspir'd to have taken the *Tower*; which if true, you must grant the Destruction of the Queens person: For the jealousy of a Kingdom is such, that it will not admit of a Rival: Then some Letters of the Dukes were read, and several long Letters written by the Queen of *Scots*, from whence it is inferr'd the Duke, did not pursue the Marriage for Love of the Queen of *Scots*, but for the Ambition of the Crown of *England*.

Duke, Your Conclusions and Inferences are ill apply'd, 'tis true one came to me and advis'd the taking of the *Tower*, which I refus'd, and dislik'd.

Burham, Why then did you Consult the Earl of *Pembroke* about the same.

Duke, To tell him what had been Propos'd to me, was not to Consult him.

Gerrard, You took a Knife and cut down a Green Vine with this saying, *Vireseit vulnere virtus.*

Duke, Why, what do you gather from thence?

Burham, The use is not to cut Vines whilst they are Green that should grow again.

It was also objected, That when the Queens Majesty had demanded of the Queen of *Scots*, certain Castles in her Possession, which the Rebels delivered; the Duke advis'd the contrary, and went about to procure the Queen of *Scots* her Liberty, and that *Ross* open'd

open'd the Window ; and after he had promis'd and given it under his hand never to Treat about the Marriage any more, he held Correspondence with the Queen of *Scots* and her Friends: Then they shew'd him a Prophecy by *Hickforth*, which was this, *In exaltatione Lune leo deprimitur, Leo Leone conjungitur & semen eorum Regnabunt* ; which was prov'd by the examination of *Hickforth*, to whom the Duke had shew'd it, terming it a Foppish Tale.

Duke, By which you see I did not esteem it. Then one *Candish* was brought in, who was Sworn; the Substance of his Evidence was, That being at *Southampton* with the Duke, he advis'd him to endeavour to obtain the Queens Favour and Consent to the Marriage; He answered, He would have her, or it should cost him his Life: And another time the Duke and the Lord *Lumley* being together at *Howards Palace*, with that the Duke turning towards him, said, Canst thou accuse me of any thing? I defie Thee and the Devil, to which he answered.

Candish, I can accuse him of nothing, but the Marriage: And that at *Kenning-Hall* he did say to him, That there was nothing to undo us, but the rising of the *Northern Lords*; If they should then rise, I further ask'd, if the Queen were dead, that he may procure my Brother *Candish* to be of his side.

Duke, All which the Duke positively deny'd, and declar'd how little Credit the same *Candish* was of, that he had often Reliev'd him, and given him Money, and that he was one of no Estimation, as the business between him and Mr. *Christmas* did sufficiently testifie.

X
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Rise -

X
In the full
the Moon
the Lyon
be over
and the
young
Lyon
their
Reign -

It was also said, That the Duke sent one *Travers* to the Earls, desiring them not to Rise; for if they did, they were utterly undone; but this and much more was without proof: There was also a Letter produced from the Queen of *Scots* to the Duke, written in *Cyphers*, which was Decypher'd and read; declaring her Sorrow for his Disappointments.

Duke, The Duke answered, That all these things were unlikely, nor would he have thus proceeded, if he had, (as he is charged,) Imagin'd and Contriv'd the Deprivation of the Queen; and the chiefeft Evidence against him, was by *Radolph* and *Bracton*, who was not to be Credited for a Witness: He also said, that *Trevers* went not to the Earls with any such Message, and that he never offer'd to fly, which one Guilty would have done; nor did he ever esteem those Earls so much as to Trust them with his Life.

Gerrard, Thus have you heard the attempt of the Marriage prov'd, and to prove the Deprivation of the Queen, was the dealing with the *Pope*, King *Philip*, and the Duke of *Alva*, for the bringing in of Foreign Power to Land here (which God hath revealed) most wonderfully, according to that saying, *Nill est tam occultum quod non revelabitur*: At the first opening of the business, it could not be known whom it concern'd; Then by opening of a Bag of 600 *l.* Seal'd with Letters in the same to *Sherbury* for 50 *l.* which was open'd by some of the Council at *London*: The Queen and Council understood the whole matter at *Easter* by the Letters directed to *Quadrantus* and *Trantus*, but who that signified could not be known till of late, for it appears by *Quadrantus* is meant the Duke, and by *Tran-*

tus

is nothing
but
will be
open -

was another Nobleman, this Secret is now found out by Cyphers hid in the Tyles, and Letters describ'd by *Hickforth*, commanded by the Duke to be Burnt, found under the Matts going into the Dukes Chamber; These matters are to be prov'd by those that are neither Indicted nor Convicted of *Treason*.

Duke, There was not a Letter of mine that contain'd a Syllable of *Treason*; and if the malice of ill men hath contriv'd any thing that deserves blame, 'tis fit they should bear their own burthen, and not lay Crimes upon my Shoulders to lessen their load.

Gerrard, You had Conference your self with *Radolph* for bringing in 10000 men out of *Flanders* to be Landed at *Berwick*, whereof 3000 should be Horsemen; For proof whereof, was read the Examination of *Barker*.

It was further shew'd, that the Bishop of *Ross* and He had Conference together about these matters, and concerning Letters sent by the Duke of *Norfolk* to the Duke of *Alva* and the *Pope*, and King *Philip*, but the Duke had refus'd to Subscribe them; Then was it advis'd by the Bishop of *Ross*, that he should send *Barker* his Man to the *Spanish* Ambassador to tell him, the Duke was well Contented with those Letters, and that they should be taken as his own, and that the Ambassador should certifie so much from him.

Duke, My memory is too weak to answer to a heap of matters huddled up I know not how, having nothing but Truth and Ignorance to support me; and you are four of the Queens Councel, who have Notes, and the faculty of flourishing upon them; and it is hard for me to answer all of a sudden, and may (through the defect

defect of Memory and the surprize of an accused Innocence) omit that which might be easily answer'd: It was very unlikely and extremely untrue, that I should deal with the *Pope*; I had rather be drawn in pieces with wild Horses, than change from that Faith which I was brought up in from my Youth; and for Landing an Army at *Harwich*, it is well known how impossible it is for an Army to March in that Country, which is all Ditches, and Woods: If I had design'd such a matter, I would have made Provision of Arms and Powder; I have not bestow'd 10 £. of any Armour these ten years, except it were eight Corflets of proof; I have no Cullivers in my House, and I am sure not three Barrels of Powder; And if I had design'd any such thing, I would have been provided otherwise than I was, neither would I have sent *Barker* of such a Message, but rather have Trusted my Hand to the Letters, than to have put Words into his Mouth, he being one of no Credit with me; and if I would have fram'd such a Message, I would sooner have Employ'd *Banister* than 20 *Barkers*.

Then was shew'd a Letter from the Bishop of *Ros* to the *Scottish* Queen, about the Marriage; there was also a Letter from the Duke to *Radolph*, written with *Okier*, since he was in the *Tower*, bidding him burn the Baggage of Letters which *Barker* had put in a certain place, and to lay up *Ros's*, whom the Law could not touch, because he was an Ambassador.

Duke, I had heard that he had Accused divers; and when I perceiv'd there was such Searching, I gave that advice for avoiding of Trouble, though the Letters were insignificant.

There

There was also a Letter from the Duke, which express'd that he could not be charg'd with any Crime; and if he lov'd his Life, he should take heed whom he Accus'd.

Duke, By which my Innocence appears?

Brumly shew'd Letters from *Radolph*, sent by *Bayley* *Rofs's* Servant; by which it appear'd that the Duke *D'Alva* lik'd the matter, and enquir'd how far *Harwich* was from *London*.

Brumley further said, the whole Conspiracy was open'd at *Antwerp* to the Ambassador of a Forreign Prince; who acquainted his Master, who had written the whole Discourse to the Queen; which because it concern'd others as well as the Duke, should only be open'd to the Lords of the Privy Council.

Duke, This is a Mystery that I know not how to Reply to, unless that part of it which concern'd me were discover'd.

Then Mr. *Milbourn* made a formal Discourse for the Credit of the Depositions of the Duke and others.

Duke, I know not how to come after so smooth a Tale as the Attourney of the Court of *Wards* has told, yet he reflects nothing, what fear and promis'd Reward might prevail upon Timorous and Mercenary minds; But I refer you unto *Bracton* for Discrediting and disproving those Witnesses.

Catlin, In such Matters and Cases of Treason, the Depositions of Strangers may be taken, and it lyes in the Breasts of the Peers to Credit the same as they shall see Cause; and to proceed to the second point of Treason specified in the Indictment, which was the Aiding the Rebels after they were fled.

Duke,

Duke, There is little danger in a discern'd Enemy ; yet I never reliev'd any of them.

Catlin, Then for the third point of *Treason* contain'd in the Indictment, for Assisting the *Scottish* Rebels the Queens Enemies by Letters from the Duke to *Banister*, and from *Banister* to *Luddington*, and from *Luddington* to *Radolph* ; and by the Examination of *Banister*, and by the Bag of Money deliver'd to *Shrewsbury* with Letters in the same Bag, as it was before declar'd by Mr. *Gerrard*.

Duke, I desire the Opinion of the Judges, If the Subjects of another Prince (the Prince not being in War with the Queen, may be accounted the Queens Enemies.

Catlin, That might well enough be seen, for the Queen might make War with a Duke in *France*, and have Peace with the *French* King.

Shrewsbury, have you ought else to say ?

Duke, I depend upon Truth and Innocence, which I hope will out-weigh the Malice and Artifice of my Enemies, and I also hope my Judges will consider the Invalidity of the Evidence against me ; the persons being of no Credit nor Reputation : And for the Marriage I Treated in it with the Queens Consent and Appointment ; and afterwards suspended it (though several Letters and Arguments were directed to me concerning it.)

Shrewsbury, Lieutenant of the *Tower*, withdraw the Prisoner a while, then was Silence Proclaim'd.

Shrewsbury, My Lords, here you have heard that *Thomas Howard* Duke of *Norfolk* has been Indicted of divers points of *Treason*, and has Pleaded not Guilty,
and

and has put himself upon the Tryal of God and his Peers; You are now to Consider upon the whole Evidence which you have heard, whether he be Guilty or not Guilty, and to speak your minds upon your Honours and Consciences, and so bid them withdraw together and return as soon as they could; which they did to a place for that purpose where the *Chancery* is now kept; and there consulted in the sight of all; Then the Lords being Return'd and sat in their places, the Earl of *Shrewsbury* Lord High Steward of *England* commanded the Duke to be plac'd further out of Hearing of them; then he ask'd aloud, first to the youngest Lord, saying, what say you my Lord *De la Ware*, is *Thomas* Duke of *Norfolk* guilty of these Treasons; yea, or no, who standing up, answered, Guilty; then the same was ask'd of all the Barons and Earls one after another, beginning at the Youngest; and so to the Eldest in Degree; and all said Guilty. Then the Lord High Steward commanded the Prisoner should be brought to the Bar, who being plac'd, the Earl of *Shrewsbury* Lord High Steward said. *Thomas Howard* Duke of *Norfolk*, thou hast been Accused of divers Treasons, and hast Plead'd against all not Guilty; and hast put thy self upon God and this Peers, who have all declar'd thee Guilty; what can'st thou say now, that Judgment may not proceed against thee.

Duke, The great God and my own Innocence be between me and my False Accusers.

Then was there a profound Silence a good while; after which the *Tower* Axe was turn'd towards the *Duke*.

Burham, May it please your Lordship to understand, That *Thomas Howard* late Duke of *Norfolk* has been Indicted of several Treasons, and hath thereunto Pleadèd not Guilty; and thereupon hath put himself upon the Tryal of God and his Peers; and they have found him Guilty: I am therefore to pray your Judgment in the behalf of our Gracious Sovereign Lady the Queen.

Shrewsbury, Thou *Thomas* late Duke of *Norfolk* hast been Indicted of several Treasons, and thereunto hast Pleadèd not Guilty, and hast put thy self upon the Tryal of God and thy Peers, and hast been by them found Guilty. Therefore our Court and the Queen doth Award, That thou shalt be lead from hence to to the *Tower*, and thence to be drawn through the midst of *London* to *Tyebourn*, and there to be Hang'd, until thou art half Dead, thy Bowels to be taken out and Burnt before thy Face, thy Head to be Cut off, and thy Body quarter'd, and thy Head and Quarters to be at the Queens Will and Pleasure, and our Lord have Mercy on thy Soul.

Duke, You have said unto me as unto a Traytor, God forgive you, and wash my Innocent Blood from your Souls, that it rise not in Judgment against you: I condemn not you, and yours; I die no Traytor, but a True man, both to my Queen and Country: And since you have put me out of your Company, I hope to go where I shall find much better, who will regard that Innocence which you have rejected. I am at a point never to beg for Mercy where I have no Guilt, but the Suit I have to you my Lords, is, that you will move the Queen to be good to my Children and Family, and to see the Discharge of my Debts. Thus

Thus fell that Illustrious Prince, whose greatness in Estate and Title was his only Crime, for being of an Antient and Splended Family, the Blood-Royal of *England* and *France* not being out of his Veins, and being Allied to all the Considerable Families of *England*, and having an Estate to support that Greatness, of a hundred thousand Pounds a year; Besides the Fortunes he obtain'd by his Marriages, which was also very large: All his Paternal Estate was dispos'd of by the Queen, without regard to the Innocence of his Children, the hard measure of his Accusations, and his Obedience, which led him to the pursuit of Her Commands upon all occurrences: Which Estate, as it is divided, and Improv'd, is valu'd at five hundred thousand Pounds a year. My Lord of *Leicester*, who was the Leading man at that time, (and sat with watchful Diligence) at the Helm, which he manag'd as his Interest or Passion inspir'd him: First propos'd the Marriage of the Queen of *Scots* to the Duke of *Norfolk*; which he refus'd, till importun'd by the Perswasions of those that appear'd to be his Friends, and assur'd by a Letter under Queen *Elizabeths* own Hand of Her Consent; all which ensnar'd him till the Consummation of the Marriage; which was made evident by a Letter kept long in the Family from the Hands of the Queen of *Scots*, in which she Subscrib'd her self, *Your most Obedient Wife, Mary of Scotland and Norfolk*: And this great Family thus Eclips'd, remain'd under the Cloud of a severe Deprivation, till the last King *Charles* of Blessed Memory, restor'd them to their former Titles and Dignities; that excellent Prince considered their long and silent Sufferings, with what forward-

ness most of them engag'd their Lives and Fortunes in the Service of his Royal Father; there being but two of all that great and numerous Family that drew a Sword against their King; may those two be Bury'd in the dull ashes of Oblivion for ever, and wip'd out of our way, as perhaps they are out of the Book of Life.

A Brief Account of the Noble Family of the
HOWARDS.

THe Family of the *Howards* came into *England* with the *Saxons*, being from a vast length of time very considerable in that Country, having the Title of Barons, and the Name in that Language being *Hoffwerd*. as some Antient Books there Testify, which signifies the chief Office in the Court: *William* the Conquerour found them in a great Condition of Estate and Quality here, according to the Mode and Method of those Times, bearing Distinctions proper to Barons: They continued most Eminent in their Country, and link'd themselves into the greatest Families in the Kingdom, as with all Evidence appears, behold here.

A Brief Account of the Descent of the Dukes of
NORFOLK.

Thomas of Brotherton, second Son of King *Edward* the First by *Margaret* of *France* his second Wife, was Earl of *Norfolk* and High Marshal of
Eng-

England, whose Daughter and Heir being Married to *John Lord Segrave*, was created Dutcheſs of *Norfolk*; and *Elizabeth* their Daughter and Heir being Married to *John Lord Mowbrey*, was Mother to *Thomas Mowbrey* created Duke of *Norfolk* by King *Richard* the Second in the year one thouſand three hundred ninety ſeven, and firſt Earl-Marſhal of *England*: Which *Thomas* by *Elizabeth* his Wife, Siſter and Heir of *Thomas Fitz-Allen* Earl of *Arundel*, was Father of *John Mowbrey* Second Duke of *Norfolk*, and of *Margaret* his Eldeſt Daughter, Wife to Sir *Robert Howard* Knight, whose Son *John Mowbrey* the Third Duke of *Norfolk*, was Father of *John* the Fourth Duke of *Norfolk*; whose Daughter and Heir Dying without Iſſue in the Reign of King *Edward* the Fourth: The Honours and Lands of *Mowbrey* were divided between *John Lord Howard* Son of Sir *Robert Howard* and *Margaret Mowbrey*, who was Created Duke of *Norfolk* by King *Richard* the Third, and *William Lord Berkley* Son of *Iſabella* Second Daughter of *Thomas Mowbrey* Firſt Duke of *Norfolk*: This *John Lord Howard* Duke of *Norfolk* was ſlain at the Battle of *Broſworth* one thouſand four hundred eighty five, and Attainted, leaving *Thomas Howard* Earl of *Surry* his Son: Who in the fifth year of King *Henry* the Eighth, was Reſtor'd Duke of *Norfolk*; and Dying, *Thomas Howard* his Son was Duke of *Norfolk*, and Father of *Henry* Earl of *Surry*, who was Beheaded the laſt of *Henry* the Eighth; which *Henry* Earl of *Surry* was Father of *Thomas Howard* Duke of *Norfolk*, who was Beheaded and Attainted for the Marriage of the Queen of *Scots* the Fourteenth year of Queen *Elizabeth*; whose Son *Philip*

lip (Earl of *Arundel* in right of the Mother) dyed in the *Tower*, his Son *Thomas* the great Lord Marshal (whose memory is a lasting Honour to his Family) left his Son *Henry* of unblemish'd Honour and Reputation also, whose Son *Thomas* was restor'd by the last King *Charles* the Second of Happy and Glorious Memory, to the Dignity of Duke of *Norfolk*, whose Brother *Henry* surviv'd him, and left two Sons, *Henry* the present Duke of *Norfolk*, and the Lord *Thomas Howard*, who hath Issue.

This flourishing Family has spread it self into many Eminent Branches, as the Lord Viscount *Stafford*, the Earls of *Suffolk* and *Barkshire*, the Lord *Eserick*, the Earl of *Carlile*, and the rest of the Descendants from the Lord *William Howard* of *Naworth*, whose Memory is to be preserv'd as Sacred in the Family, who for Wisdom, Virtue and Honour, was the Glory of his Time; he was Third Son of *Thomas* Duke of *Norfolk*, whose Tryal and Unfortunate Death you have here had a view of; the Sons of which Lord *William Howard*, were men of great Honour, and serv'd their King with their Lives and Fortunes; his Second Son Sir *Francis Howard*, having rais'd a Regiment at his own proper Charge, and suffer'd a long Imprisonment in the *Tower*. Collonel *Thomas Howard* the Fourth Son of the Lord *William*, also rais'd a Regiment for King *Charles* the First of Sacred Memory, and Bravely lost his Life at the Head of it; having refus'd very Advantagious Conditions from the King of *Portugal*, who had invited him into his Service, he being a Souldier of long Experience Abroad, and much esteem'd for his Courage and Conduct, and detain'd

tain'd here by the Commands of his Prince, whom his Honour, Religion and Conscience oblig'd him to obey; he fell (a willing Sacrifice for the Service of his Prince) to the rage of the Rebels.

Here is also an Account of such Families as are Descended from the House of Howard, taken in the year 1660.

BY the Daughter and Heir of Sir *John Howard*, who was of the same Family with the Duke of *Norfolk*, and Married to *John Vere* Earl of *Oxford*; are descended by the Heirs of *Wingsfield*, and of *Nevil Lord Latimer*, the Families of *Wingsfield* now remaining, *Percy* Earls of *Northumberland*, *Cecil* Earl of *Salisbury*, *Danvers* late Earl of *Danby*, who quarters the Arms of *Howard*; *Norris* late Earl of *Barkshire*, the Lord *Pawlet* of *Somerſetſhire*, and many other Noble Families, namely the Antient and Honourable Family of the *Lacies*, and from *John Howard* first Duke of *Norfolk* of that Name, by his Daughter Married to *Windham*, and from them by *Lutterel* and *Rogers* descended the Marquess of *Hartford*, the Lord *Seymour*, and many other Antient Families in the *West*; and by other Daughters, the Families of *Knivet* and *Gorges*: From Lord *Edmond Howard* Third Son of *Thomas* Second Duke of *Norfolk* is descended the Lord *Arundel* of *Warder*; From the said *Thomas* Second Duke of *Norfolk* are descended first all those of the House of *Nottingham* and *Iffingham*, and from them by Daughters the

the present Marquess of *Winchester*, the Earls of *Mulgrave* and *Peterborough*, the Viscount *Mordant*, the Lord *Fairfax*, and many other Eminent Families. By his Daughter Married to the Earl of *Darby*, are descended at this day the Earls of *Darby*, *Bridgewater*, the Lord *Sturton*, *Morley*, *Dudley*, *Stafford*, *Shandois*, *Powis*, and many other Noble Families. By his Daughter Married to Sir *Rice ap Thomas*, the Earls of *Carbary*, and many other Noble Families in *Wales* are descended.

By his Daughter married to Sir *Thomas Bullen* Earl of *Wiltshire* and *Ormond* are descended, the Families of *Carie* Earls of *Dover* and *Monmouth*, the Viscount *Faulkland*; and by the Daughter of *Carie* Married to the Family of *Knowles*, the Earls of *Banbury*, *Northumberland*, *Essex*, *Warwick*, *Holland*, *Newport*, and the Lord *Paget*, and many others.

From *Thomas Howard* Third Duke of *Norfolk* are descended the Heirs of the Lord *Scroope* of *Nevil*, Earl of *Westmorland*, the Lord *Berkley*, and the Heirs of the Viscount *Binden*.

From *Thomas Howard* Fourth Duke of *Norfolk*, the present Duke of *Norfolk*, the Viscount *Stafford*, the Earls of *Suffolk*, *Barksbire*, *Carlile*, Lord *Howard* of *Esrick*, all the *Howards* of the *North*, the Earl of *Dorset*, the late Duke of *Richmond*; and by Marriage at present many other Noble Families are nearly Allied, as the Earls of *Northumberland*, *Bedford*, *Salisbury*, *Devonshire*, the Lords *Darcy*, *Sandis*, *Fairfax* of *Imulleth*, *Mac Donell*, and many other Antient and Honourable Families are descended.

The

This great Duke of *Norfolk* whose Tryal you have read, first Married the Daughter and Heir of *Fitz-Allen* Earl of *Arundel*, by whom he had *Philip*, who was Poison'd in the *Tower*; the Dukes second Marriage was to the Daughter and Heir of the Lord *Audley*, by whom he had *Thomas* Earl of *Suffolk*, and the Lord *William Howard* of *Naworth*, who was long detain'd a Prisoner in the *Tower* after the death of the Duke. The Dukes third Marriage being to the Widow of the Lord *Dacres* of the *North*, who by the said Lord *Dacres* had two Daughters, *Anne* and *Elizabeth*, to whom the Duke Married his two Sons, *Philip* and the Lord *William Howard*. *Thomas* the Great Lord Marshal (who is never to be mention'd without the memory of his Honour) was the Son of *Philip* Earl of *Arundel*, and *Anne* the Eldest Daughter of the Lord *Dacres*, which *Thomas* Married the Lady *Alathea Talbot*, Daughter and Heir to the Earl of *Shrewsbury*, by whom he had *Henry* Lord *Matrevers*, and *William* Viscount *Stafford*, which *Henry* Married the Lady *Elizabeth Stuart* Daughter to the Duke to *Lenox*, and the Lord Viscount *Stafford* Married the Daughter and Heir of the Lord Baron *Stafford*; This *Henry* after Earl of *Arundel*, left Eight Sons and two Daughters, *Thomas* who died at *Padua*, and was restor'd to the Dukedom, *Henry* last Duke of *Norfolk*, *Philip* Lord Cardinal, *Charles* a person of much Honour and Integrity, *Edward*, *Francis*, *Bernard* and *Esma*. *Henry*, who after the Decease of *Thomas*, was Duke of *Norfolk*, Married the Lady *Anne Somerset*, Eldest Daughter to the Marquess of *Worcester*, and Sister to the present Duke of *Beaufort*, by whom he had two Sons, *Henry*

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the present Duke of *Norfolk*, who Married the Lady *Mary Mordant* Daughter to the Earl of *Peterborough*; and the Lord *Thomas Howard*, who Married the Daughter and Heir of Sir *George Savil*, of the Family of the Marquess of *Halifax*, by whom he hath Issue: Also the said Duke had two Daughters, the Eldest Married to the Duke of *Gordon* of *Huntly*, the youngest to the Marquess of *Waperiso*. *Charles* the fourth Son Married *Mary* the Eldest Daughter, and Co-heir of *George Tatershall* of *Hinsbamsted* in the County of *Berkshire* Esquire, a Lady of great Virtue, and extraordinary Parts, of an Antient and Honourable Family, which came into *England* with the *Saxons*, and long retain'd the Title of Baron, as is recorded by many Authors, by whom he hath a Hopeful Son, named *Henry-Charles Howard*: *Bernard* Married to *Catharine* the Younger Daughter of the said *George Tatershall* Esq; who hath also Issue, one Son Named *Bernard* and three Daughters. The Lady *Elizabeth Teresa* the youngest Sister of the last Duke of *Norfolk*, was Married to *Alexander Mac Donell*, Eldest Son to Sir *James Mac Donell* Baronet, and Nephew to the late Marquess of *Antrim*; by whom she had one Son Named *Randal Mac Donell*: She after Married to *Bartholomew Russel* Esq; of *Seaton* in the County of *Dublin*, of the Family of the Earls of *Bedford*.

The Lord *Thomas Howard*, after Earl of *Suffolk*, second Son to *Thomas* Duke of *Norfolk*, who so unfortunately lost his Life for Espousing the Interest of the Queen of *Scots*, Married the Daughter and Heir of Sir *Ppilip Tenevit*, whose Eldest Son Married to the Daughter of the Earl of *Dunbar*, his Eldest Daughter to

to the Earl of *Salisbury*, the second *bury*, and the third to the Earl of *Eldest* had many Sons and Daughters *Berkshire* being the second, who Daughter of *Cecil* Earl of *Salisbury*; to Sir *Robert Howard* of *Clun*, Married the *Nevil* Lord of *Abergaveny*. The fourth who was created Lord *Howard* of *Escrick*, Married the Daughter of the Lord *Butler*. One of the Daughters of the said Earl of *Suffolk* Married *Percy* Earl of *Northumberland*; another to *Boil* Earl of *Qrory*; one to *Villiers*, and another to *Walsingham*, all of which had Issue.

But to return to *Philip* the Eldest Son of the Lord *William Howard* of *Naworth*, who Married into the Family of the *Carols*, by whom he left one Son called *William*, who Married the Daughter of the Lord *Evers*, by whom he had Sons and Daughters, *Charles* the Eldest Son late Earl of *Carlile* having Married the Daughter of the late Lord *Escrick Howard*, by whom he had *Edward* the present Earl of *Carlile*, who Married the Daughter and Heir of Sir *William Udall*, by whom he hath a Hopeful Offspring. Also two Daughters, one Married to the Lord *Preston*, the other to Sir *John Fenwick*. Sir *Philip Howard* Brother to the late Earl of *Carlile*, Married the Daughter of Sir *William Newton*, by whom he hath one Son.

Sir *Francis Howard* the second Son of the Lord *William Howard*, Married the Daughter of Sir *Henry Widrington*, by whom he had Heirs, *Francis* his Eldest Son Married the Daughter of Sir *William Gerrard*, by whom he had two Daughters; and after Married the Daughter of *John Townly* of *Townly* Esq; by whom he hath Issue.

ngest Son of Sir *Francis*, Married
George Dawson Esq; hath Issue also.
 Son having taken Religious Orders.
 was slain in the late Wars.

the third Son of the Lord *William*, Mar-
 ried the Daughter of Sir *Henry Widrington*; by
 whom he had Heirs; *William* the Eldest Son being
 Married to the Daughter and Heir of *George Cuning-*
ham Esq; by whom he had one Son *Charles*, who Mar-
 ried the Daughter of *John Mear* Esq;. *Dorothy* the
 Daughter of Sir *Charles Howard* Married *William*
Salone of *Croxdale* in the County of *Durham*, and hath
 Issue. Another Daughter Religious.

Collonel *Thomas Howard* the fourth Son of the Lord
William, who so eminently Serv'd his King, and lost
 his Life in that Service, Married *Margaret* Daughter
 to Sir *William Evers*, second Son to the Lord *Evers*,
 by whom he had one Son named *Thomas*, and six
 Daughters; *Thomas* married the Daughter and Heir of
George Heron of *Chip-Chace* Esq; by whom he hath
 three Daughters. *Mary* the Eldest Daughter of Col-
 lonel *Thomas Howard*, married *Ralph Fetherstonhalgh* of
Stanop in the County of *Durham* of an Antient Fami-
 ly in the North, *Margaret* and *Antonia* were Religious,
Catharine married to *Nathaniel Lacy* of *Deeping* in *Lin-*
colnshire Esq; whose Family were formerly Earls of
Lincoln; and after married to *Edward Lacy* of *Brewry*
Castle in the County of *Limerick* Esq; descended from
 the Earls of *Ulster* in *Ireland*. *Teresa*, the youngest
 Daughter of Collonel *Thomas Howard* married to *Ralph*
Booth of the County of *Durham* Esq; of an Antient
 Family related to the Lord *Delamer*, bearing the same
 Name and Arms, who hath Issue. Thus

Thus hath this Illustrious Family spread it self over the three Kingdoms, and hath acquir'd so much Glory Abroad, that in all places where Nobility is known and understood, the Name of *Howard* is Honoured: *Germany* claims it by its Original, and *France* by Alliance, *Italy* by Respect; having had that Object of Honour, *Thomas* the great Lord Marshal among them, whose Generous and Noble Disposition planted such lasting Obligations there, that even in these present times some of his Descendants have reap'd the Benefit. Courage has been so essentially due to this great Family, that never any was known of that Blood, that did not possess an excessive share of that Virtue, which they generally imploy'd in the Service of their Prince, few of them having been in Rebellion; and 'tis wish'd they may never Sully themselves with so black a Crime, and as they are descended from Princes, so they may Unite themselves in a True Obedience to their Sovereign, which is the best Defence of Families; nothing being so Fatal as Faction and Sedition, which has at all times prov'd a Canker to consume them.

F I N I S.

